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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,900	03/15/2004	George J. Franks JR.	116347-002	1463
24573	7590	08/19/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC			NGO, HUNG V	
PO BOX 1135			ART UNIT	
CHICAGO, IL 60690-1135			PAPER NUMBER	
			2831	
DATE MAILED: 08/19/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,900

Applicant(s)

FRANKS, GEORGE J.



Examiner

Hung V. Ngo

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7,8 and 10-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 10-16 is/are allowed.
6) ☒ Claim(s) 7,8 and 17-26 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7, 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Franks Jr. (US 4,780,096).

Franks Jr. discloses an elongate strap (20, 60) having a first hole (21) and a second hole, a securing stud mechanism (Fig 2) having a curve surface (35a), a head (32), a shank (31), abrasive surface having pyramidal shaped point or jagged and torn edges (62)(Fig 5) (re claims 7, 8)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Auclair (US 5,131,856) in view of Franks, Jr. (US 4,780,096).

Auclair discloses an elongated strap (22), defining first and second holes (24), a securing stud mechanism (40) including a curved surface (64), a head (46), a shank (42), a sliding curved nut (36) supported on the elongated strap (re claim 17)

Re claim 18, at least one ends stop (30, 32),

Re claim 19, a hole (Fig 3)

Re claims 20, 21, a bore (50) for receiving a ground wire (16, 18)(Figs 2, 3).

Re claim 22, see Figs 2, 3.

Re claims 23-26, a second stud (54), a frusto-conical end section (Fig 3)

The teaching as discussed above does not disclose an abrasive surface for engaging an electrically conductive structure

Franks, Jr. teaches the use of an abrasive surface for engaging an electrically conductive structure.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the abrasive surface with the structure of Auclair for the purpose of drawing tightly and provide electrical contact with the conductive structure

Allowable Subject Matter

The indicated allowability of claims 7, 8, 17-26 is withdrawn

Claims 10-16 are allowed

The following is an examiner's statement of reasons for allowance:

The limitation "the first hole includes at least one projection extending into the first hole and the stud is captured within the first hole by the at least one projection" of claim 10 in combination with other limitations present is neither taught nor disclosed in the prior art of record.

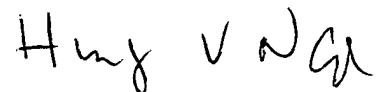
Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A Reichard can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVN
August 16, 2005



**HUNG V. NGO
PRIMARY EXAMINER**